



Appendix – Sewer Systems Organization and Financing

Environmental Assistance Office

6/2003

To successfully use this appendix, please be aware of the following:

1. The documents in this appendix are electronically rendered versions of the best available copies of the original documents. They are not photographic copies. This was done for two reasons: many of the original document copies were marginally legible; and, by reproducing them electronically, we can now make these documents available to you on disk for ease of use in forming a district for your area. For a copy of the guide and appendix documents on disk, contact the Environmental Assistance Office by any means listed above.
2. Our intent was to include documents in their original form. We have essentially done that. In some instances, documents have been modified to correct spelling errors, standardize document layout, reformat legal sized pages to letter sized pages to fit the format of this appendix and to shorten documents by truncating long legal descriptions and listings of names. All modifications have preserved the meaning of the documents.
3. This compilation of documents is not complete. Some documents that are included are not required by the statutes, but we included them for your benefit. Other documents that may be required by your jurisdiction may not be included here. It appears to us that the requirements for formation of districts have been interpreted by local jurisdictions with some degree of variation. Therefore, consider this appendix a starting point from which you can become familiar with the basic formation requirements.
4. References in the guide "Sewer Systems Organization and Financing" pertain to the numbers placed in the upper right hand corner of each document in the appendix.
 - Appendix A contains common sewer district documents.
 - Appendix B contains simple sewer district documents.
 - Appendix C contains water district documents.
 - Appendix D contains neighborhood improvement district documents.
5. Here is one method to copy text or whole documents from the Appendix: Find the text you want. On the Acrobat toolbar at the top of your screen click the "T" text selector button. Move your cursor to the beginning of the text you want. Click and hold your left mouse button and drag it down the page to the end of the text you want and release the button. Click the right mouse button, then click "copy". Now open an existing or blank document in your word processor. Click where you want your selection pasted. Click the "paste" button on your word processor's toolbar and your selection will be copied into your document.

IN THE CIRCUIT COURT OF THE COUNTY OF JEFFERSON
STATE OF MISSOURI

IN THE MATTER OF THE ROCK CREEK)	CAUSE NO. <u>CV-J3-79-557-CC</u>
PUBLIC SEWER DISTRICT)	
THE COUNTY COURT (COMMISSION) OF)	DIVISION NO. <u>3</u>
JEFFERSON COUNTY, MISSOURI)	

PETITION FOR APPOINTMENT OF COMMISSIONERS
TO ESTABLISH BOUNDARIES OF COMMON SEWER DISTRICT

Comes now the County Court (Commission) of Jefferson County, Missouri, and petitions this court, pursuant to Section 204.250 RSMo, for the appointment of commissioners to establish the boundaries for a sewer district lying within Jefferson County, and in support of their petition state the following:

1. Jefferson County is a first class county not having a charter form of government.
2. The construction and maintenance of a common system of trunk sewers and sewage treatment points is necessary to secure proper sanitary conditions for the preservation of the public health in Jefferson County.
3. Attached hereto and incorporated herein as "Exhibit A" is a description in general terms and a map of the territory to be embraced in the proposed sewer district.
4. Attached hereto and incorporated herein as "Exhibit B" is the resolution and order of the Jefferson County Court (Commission) dated 4/5/79 directing the creation of the proposed sewer district.
5. The area of the proposed sewer district, as described in Exhibit A, is in a natural drainage area in Jefferson County, said natural drainage area containing all or portions of several drainage basins.
6. The proposed sewer district encompassing the area described in Exhibit A would be eligible for federal aid and assistance under the provisions of Title 33, Section 1151 et seq. of the United States Code Annotated.
7. The Jefferson County Court (Commission) suggests to this court that the name of the proposed sewer district be "THE ROCK CREEK PUBLIC SEWER DISTRICT."
8. The purpose of the proposed sewer district is to provide sewage treatment facilities and trunk sewers, and to better the water quality in northern Jefferson County.

WHEREFORE, the Jefferson County Court (Commission) prays that this Court:

A. Appoint three (3) disinterested persons, within thirty (30) days after receiving this petition, one of whom shall be a licensed civil engineer or surveyor, as commissioners to lay out and define the boundaries of the proposed sewer district, and that said commissioners be ordered, pursuant to Section 204.260, to hold a hearing at the courthouse in Jefferson County, Missouri, for the purpose of hearing any and all persons who wish to be heard as to the location of the boundaries of the proposed sewer district, and to report back to this Court upon completion of their duties, and

B. Take further action as may be necessary for the submission to the legal voters residing in the area of the question whether the area shall be organized and incorporated as a common sewer district under Sections 204.230 - 204.470 RSMo.

(signature) _____
Ralph Krodinger, Presiding Judge
(Commissioner)

(signature) _____
Elizabeth Faulkenberry
Associate Judge (Commissioner)
(1st District)

(signature) _____
Howard Wagner
Associate Judge (Commissioner)
(2nd District)

(signature) _____
John M. Hermon, County Counselor
for Jefferson County, #19478
P.O. Box 248
Hillsboro, MO 63050
(314) 789-2661 and (314) 942-3111

IN THE CIRCUIT COURT OF THE COUNTY OF JEFFERSON
STATE OF MISSOURI

IN THE MATTER OF THE ROCK CREEK)	CAUSE NO. <u>CV-J3-79-557-CC</u>
PUBLIC SEWER DISTRICT)	
THE COUNTY COURT (COMMISSION) OF)	DIVISION NO. <u>3</u>
JEFFERSON COUNTY, MISSOURI)	

ORDER APPOINTING COMMISSIONERS TO BOUND DISTRICT

Now this 15th day of May, 1979, said date falling within thirty (30) days after April 19th, 1979, on which day the County Court (Commission) of Jefferson County, Missouri, filed its petition herein, this court being fully advised of the matter finds the following:

1. That on April 19, 1979, the County Court (Commission) of Jefferson County, Missouri, filed its petition praying for the appointment of commissioners to set the boundaries of a sewer district under Chapter 204.250 RSMo (as amended), and which petition further suggests the name "THE ROCK CREEK PUBLIC SEWER DISTRICT" as the name of such proposed district.
2. That said petition recites the facts that have been found to be true by the County Court (Commission) of Jefferson County, Missouri, regarding the formation of a sewer district, and contains as exhibits a general description of the proposed boundaries and a resolution and order of the County Court (Commission) of Jefferson County, Missouri, calling for the filing of this petition for the formation of the sewer district.
3. That the area contained within the boundaries as described in said petition constitutes a natural drainage area, the major portion of which lies within Jefferson County, Missouri, a county of the first class not having a charter form of government.
4. A common sewer district encompassing the entire area as described in said petition would be eligible for federal aid and assistance under the provisions of Title 33, Section 1151, et seq. of the United States Code Annotated.
5. Construction and maintenance of a common system of trunk sewers and sewage treatment plants in the area as described in the petition is necessary to secure proper sanitary conditions for the preservation of public health in Jefferson County.
6. That said drainage area is bounded (in general terms) as follows:

ROCK CREEK PUBLIC SEWER DISTRICT BOUNDARY DESCRIPTION

THE ROCK CREEK PUBLIC SEWER DISTRICT generally encompasses the Rock Creek watershed of northeastern Jefferson County.

THE ROCK CREEK PUBLIC SEWER DISTRICT is an area approximately 10.2 miles long and 3.8 miles wide at its widest point and contains approximately 25 square miles or approximately 16,000 acres. This district lies approximately between 92 degrees 32 minutes to 90 degrees 22 minutes west longitude and 38 degrees 21 minutes and 38 degrees 26 minutes north latitude.

The northern edge of the district is coterminous with Rock Creek Road following in a southeasterly direction, the beginning point of which is the junction of Rock Creek Road and West Four Ridge Road; thence southeasterly.....

(Complete boundary description not given to save space)

7. That the Circuit Court of Jefferson County, Missouri, has jurisdiction over the major part of said described territory.

8. That by reason of all of the foregoing, this court has jurisdiction of this matter.

9. That Walter Naes, Boyd Mills, and Hazel Lee are persons having no pecuniary interest in the creation of said sewer district and that Boyd Mills is a registered land surveyor and is duly licensed by the State of Missouri to practice his profession.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that Walter Naes, Boyd Mills, and Hazel Lee be, and hereby are appointed as commissioners to lay out and define the boundaries of the proposed sewer district generally described above and that before undertaking their duties under this order of appointment each of them shall take an oath to faithfully and impartially perform their duties under this appointment and that when they shall have so qualified, they shall give notice by publication at least five (5) times in one or more newspapers having a general circulation in the area of the proposed district, namely the The Daily News Democrat and the The St. Louis Post Dispatch, of the time and place where they will meet to consider and establish the boundaries of said sewer district. Said notice shall be given at least twenty (20) days prior to their meeting, said meeting to be held in the Jefferson County courthouse, at Hillsboro, Missouri.

IT IS FURTHER ORDERED that at the meeting of the commissioners, or any adjourned session thereof, Walter Naes shall preside and that the name "Rock Creek Public Sewer District" shall be used as the name of said sewer district in all proceedings hereunder until further order of this court to the contrary, and if no further order issues said name shall be permanent.

IT IS FURTHER ORDERED that when the boundaries of said sewer district have been established, the commissioners shall report the same, in writing, to this court, and that their report shall be accompanied by a map or plan showing the boundaries of the proposed sewer district, in relation to the property lines intersected or followed by said boundaries, and also in relation to any city or county boundaries.

(signature) _____

John L. Anderson, Judge, Circuit Court
Division No. III

IN THE CIRCUIT COURT OF THE COUNTY OF JEFFERSON
STATE OF MISSOURI

IN THE MATTER OF THE ROCK CREEK)
PUBLIC SEWER DISTRICT)

THE COUNTY COURT (COMMISSION) OF)
JEFFERSON COUNTY, MISSOURI)
CAUSE NO. CV-J3-79-557-CC

DIVISION NO. 3

OATH OF COMMISSIONERS

We, the undersigned, having been appointed commissioners for the purpose of fixing boundaries for a common sewer district, state that we have no pecuniary or financial interest in the outcome of this proceeding, and that we will faithfully and impartially discharge our duties as commissioners herein according to law.

(signature) _____
Walter Naes

(signature) _____
Boyd Mills

(signature) _____
Hazel Lee

Notarized

STATE OF MISSOURI)
) SS.
COUNTY OF JEFFERSON)

Subscribed and sworn to before me this ____ day of May, 1979.

Clerk of the Circuit Court

By: (signature) _____
Deputy Clerk

Or: (signature) _____
Notary Public

(Commissioners's Report: Rock Creek and Saline Sewer Districts)
EAST-WEST GATEWAY
LOWER MERAMEC PROJECT
INTERIM REPORT
February 1978

I. INTRODUCTION

At its February 6, 1979, meeting, the Steering Committee for a Northern Jefferson County Sewer District voted to form two separate sewer districts - the Rock and Saline Sewer districts - in northern Jefferson County. A plan of action for the start-up phase for both sewer districts is covered in this report. Their long-range success will depend on taking proper action in the start-up phase. Developing a plan of action requires knowledge of the institutional, financial and management aspects of sewer districts, as well as the geography, political framework and existing facilities in the area of northern Jefferson County.

Starting a sewer district requires accomplishing several tasks and involves participants with various areas of expertise. Authorizing and selling bonds requires the services of a bond counsel and an accounting firm; the Step 1 facilities plan will be conducted by an engineering firm; negotiations for purchase and acquisition of private sewer companies require a lawyer. Formation of the sewer district depends on the work of the steering committee, and the county court (commission). The board of trustees and the advisory board of the sewer districts will be involved in all tasks following the selection of members to these boards. Section II describes these tasks.

This report describes the existing private sewer companies and subdivision lagoons in northern Jefferson County, describing where they are located and how they relate to the boundaries selected at the February 6, 1979, steering committee meeting.

Also included in this report are alternative management structures. These structures describe the powers and responsibilities of the county court (commission), the various boards and the staff and the ways they interrelate. Organizational charts for the alternatives are included in this section. Section III analyzes the issue of subdistricts. It also suggests some problems that may be encountered and reasons why they need to be resolved.

The report details the types of expertise the sewer district will need and how they can be acquired. Section IV discusses the role of bond counsel, legal counsel, engineer and accountant in the operation of the district.

(Full report not shown to save space)

MAP

(Actual map could not be scanned clearly)

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, MISSOURI

IN THE MATTER OF THE ROCK)	CAUSE NO. <u>CV-J3-79-557-CC</u>
CREEK PUBLIC SEWER DISTRICT)	
THE COUNTY COURT (COMMISSION) OF)	DIVISION NO. <u>3</u>
JEFFERSON COUNTY, MISSOURI)	

ORDER APPROVING REPORT OF COMMISSIONERS,
DISCHARGING COMMISSIONERS, and ORDERING SAID REPORT FILED.

WHEREAS, WALTER NAES, HAZEL LEE and BOYD HILLS, heretofore appointed as Commissioners to lay out and define the boundaries of the proposed ROCK CREEK PUBLIC SEWER DISTRICT, have made and filed their written report to this Court, which report of Commissioners outlines and defines the boundaries of the proposed ROCK CREEK PUBLIC SEWER DISTRICT, and which report is accompanied by a map showing the boundaries of the proposed district in relation to the property lines intersected or followed by them and in relation to city and county boundaries;

WHEREAS, the Court has examined said report of Commissioners, together with the map, boundary descriptions, and plans attached thereto, and finds said report, and the proposed boundaries of THE ROCK CREEK PUBLIC SEWER DISTRICT to be reasonable, practical and in accordance with the purposes of Section 204.250 et seq. RSMo (as amended);

IT IS THEREFORE ORDERED:

1. The report of Commissioners outlining and defining the boundaries of the proposed ROCK CREEK PUBLIC SEWER DISTRICT together with the map and boundary plan showing the boundaries of the proposed district attached to said report, are hereby approved.

2. WALTER NAES, HAZEL LEE and BOYD HILLS, Commissioners herein, are hereby discharged with the thanks and appreciation of this Court.

3. The original report of Commissioners and map shall be filed in the office of the Recorder of Deeds in Jefferson County, Missouri, in accordance with the requirements of Section 204.270 RSMo.

(signature)

John L. Anderson, Circuit Judge
Division No. 3 - Jefferson County, MO

Dated: January 22, 1979

IN THE CIRCUIT COURT OF JEFFERSON COUNTY
STATE OF MISSOURI

IN THE MATTER OF THE ROCK) CAUSE NO. CV-J3-79-557-C
CREEK PUBLIC SEWER DISTRICT)

THE COUNTY COURT (COMMISSION)) DIVISION NO. 3
OF JEFFERSON COUNTY, MISSOURI)

JUDGMENT ENTRY

WHEREAS, this Court has heretofore considered the petition of plaintiff, filed herein, for the appointment of commissioners to delineate the boundaries of a common sewer district in the general area of the Rock Creek watershed, excluding the upper portion of the Black Creek watershed; and

WHEREAS, in response to this petition, this Court has appointed such commissioners; and

WHEREAS, those commissioners have met, organized, and conducted public hearings in regard to the location of the proposed common sewer district; and

WHEREAS, the commissioners have submitted their report to this Court delineating said boundaries, such report having been thereafter approved by this Court; and

WHEREAS, from this report this Court has determined that the entire area of the proposed common sewer district lies within Jefferson County; and

WHEREAS, the commissioners' report and the map graphically delineating said boundaries has been filed in the Office of the Recorder of Deeds in Jefferson County; and

WHEREAS, this Court has directed the County Court (Commission) of Jefferson County to submit to the voters within the boundaries of the proposed district the question of whether or not such district should become organized and incorporated as a common sewer district; and

WHEREAS, the County Court (Commission) of Jefferson County has submitted the question to the voters at the election held on August 7, 1979; and

WHEREAS, the County Clerk of Jefferson County has certified to this Court that a majority of the persons voting on this question voted in favor of said organization and incorporation;

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the area lying within the boundary lines heretofore determined by the commissioners, shall be and hereby is, from this day forward, an incorporated sewer district and that said district shall bear the name "Rock Creek Public Sewer District"; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the County Court (Commission) of Jefferson County shall proceed to appoint the Board of Trustees in accordance with Section 204.300 RSMo and that upon such organization and appointment having been accomplished, the sewer district shall be considered in law and equity a body corporate and public and may sue and be sued, contract and be contracted with, acquire and hold real estate and personal property necessary for corporate purposes, and adopt a common seal.

(signature)

John L. Anderson

Circuit Judge

Division 3

Jefferson County, Missouri

Date: _____

PETITION TO STONE COUNTY COMMISSION
TO FORM SEWER DISTRICT

WHEREAS, in accordance with Revised Missouri statutes, Section 249.450, the County Commission, upon the filing of a petition signed by ten percent of the voters of a proposed sewer district, and upon consultation with the county sewer engineer, shall adopt a resolution to establish a sewer district, with such resolution describing the size and location of the proposed district;

WHEREAS, certain property owners in an area shown on the attached Stone County tax maps desire sewer service to be provided for residential and commercial purposes;

LEGAL DESCRIPTION:

All of Section 4,5, 6 in Township 23, Range 22.
All Section 9 except W 1/2 and W 1/2 of NE 1/4 and W 1/2 of SE 1/4.
All Section 18 except NE 1/4.
All that part of SW of Section 17 lying S of 76 Hwy as now located.
All of Section 16 except W 1/2 also except W 1/2 SE 1/4 and all that part of SE 1/4 of SE 1/4 lying South of West Fork Creek.
All of Section 19, T 23, R 22.
All of Section 20 except part of SE 1/4 of SE 1/4 lying South and East of Hwy 76 as now located.
All of Section 21 except N 1/2 also except all that part of S 1/2 lying South of Hwy 76 as now located.
All that Part of N 1/2 of Section 29 lying North of Hwy 76 as now located.
All being in Township 23, Range 22.
All of Section 9, Township 22, Range 22W.
All of the S 1/2 and NW 1/4 of Section 4, Township 22 N, Range 22 W.
All of the NE 1/4, West of Hwy 265 of Section 4, Township 22 N, Range 22 W.
All of the S 1/2 and NW 1/4, West of Hwy 265 of Section 22, Township 23 N, Range 22N.
All being in Stone County, Missouri.

<u>Name (Printed)</u>	<u>Address</u>	<u>Signature</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

AN ORDER

APPROVING THE PETITION TO FORM A SANITARY SEWERAGE DISTRICT; ORDERING THAT THE STONE COUNTY SEWER DISTRICT NUMBER 1 (THE "DISTRICT") BE FORMED; APPROVING THE PLAN FOR CONSTRUCTING THE SANITARY SEWERS IN THE DISTRICT AND SELECTION OF PROFESSIONALS TO ASSIST THE DISTRICT IN THE CONSTRUCTION OF SEWERS.

WHEREAS, a written petition has been presented to and filed with the County Commission of Stone County, Missouri (the "Commission") requesting the construction of a sanitary sewer and laterals in a proposed sanitary sewer district to be known as the Stone County Sewer District Number 1 (the "District"); and

WHEREAS, a certified copy of the order of this commission calling a hearing on the above-stated petition was duly and regularly published in the following newspapers: *The Table Rock Gazette* on June 20, 1996, and certified copies of such order was posted in five public places within the proposed sanitary sewer district; and

WHEREAS, a public hearing having taken place at the Stone County Courthouse in Galena, Missouri, in the County Commission hearing room on July 15, 1996 and the petitioners having appeared in support of the above-stated application and proof having been presented concerning such application and no objection or protest having been made to the proposed construction; and

WHEREAS, the Commission has given due deliberation to the hearing and has determined to grant the request of the petition; and

WHEREAS, the map and plan of financing and construction for the above-stated sanitary sewerage district be submitted to the Department of Natural Resources of the State of Missouri (the "Department") for its approval and copies of the plan to be filed with the Department.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF STONE COUNTY, MISSOURI AS FOLLOWS:

Section 1. Approval of Petition. It is found and determined that the petition requesting the formation and creation of a sanitary sewer district in Stone County, Missouri, to be known as the Stone County Sewer District Number 1 are signed, approved and acknowledged as provided by law and is otherwise sufficient and complete with the requirements of Section 249.450, RSMo, 1996, as amended and such other statutory provisions that are applicable; and that there is annexed to such petition a description showing the boundaries of the proposed sanitary sewer district.

Section 2. Finding of Public Need. It is further found and determined that it is in the public interest to grant the entire request sought by the above-stated petitioners and that all the property, property owners and interested persons within the proposed district are and will be benefitted thereby, and that all property or property owners benefitted are included in such proposed district and no property or property owners have been excluded from such proposed district.

Section 3. Creation of District. The above-stated petition for the creation of a sanitary sewer district is approved and that such district, as described in the petition will be known as the Stone County Sewer District Number 1 is established to include the following property:

BEGINNING AT A POINT ON THE STONE-TANEY COUNTY LINE; SAID POINT BEING THE INTERSECTION OF THE CENTERLINE OF MISSOURI STATE HIGHWAY NO. "76", AND THE EAST LINE OF SECTION 28, TOWNSHIP 23 NORTH, RANGE 22 WEST, STONE COUNTY, MISSOURI; THENCE IN A NORTHERLY....

(Complete boundary description not given to save space)

The District shall be a body corporate and political subdivision of the State of Missouri. The District shall be capable of suing and being sued in contract in its corporate name and shall be capable of holding such real and personal property necessary for its corporate purposes. Although the Commission shall serve as the governing body of the District, the District shall be an entity separate from the Commission and is not governed by the administrative or procedural requirements of county commissions.

Section 4. Effective Date. This Order shall take effect and be in full force and effect immediately after its adoption by the Commission.

Passed at Meeting: _____

(signature) _____
Presiding Commissioner

(signature) _____
Southern Commissioner

(signature) _____
Northern Commissioner

ATTEST:

(signature) _____
County Clerk

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, MISSOURI

PETITION FOR THE INCORPORATION)	CAUSE NO. _____
OF A SEWER DISTRICT TO BE KNOWN)	
AS HERCULEAN SEWER DISTRICT)	DIVISION NO. _____
OF JEFFERSON COUNTY, MISSOURI.)	

The undersigned owners of a majority of real property within the proposed sewer district petition the court to incorporate a sewer district.

They state:

1. That the reason or necessity for such sewage treatment facility and sewer system is that in the area described herein is presently located a sewer collector system serving at least a portion of the area; however, it is discharging untreated sewage in the Mississippi River, and it will be necessary that this condition be stopped; that adequate sewage treatment facilities be installed; that proper collection systems be installed and maintained, and future expansions of both collector and disposal facilities will be necessary.

2. That the boundaries of the proposed district are as follows:
A tract of land lying in U.S. Survey 2977 and U.S. Survey 3028 and Sections 19, 20 and 29, Township 41 North, Range 6 East, of the Fifth Principal Meridian, Jefferson County, Missouri, more particularly described as follows:

Beginning at the point of intersection of the centerline of U.S. Highway 61-67 with the centerline of Joachim Creek; thence, Northwardly.....

(Complete boundary description not given to save space)

3. The names of the owners of the real property within the proposed district are:

Mr. & Mrs. Lester C. Jones
Charles E. Coplin
Mr. & Mrs. Harvey L. Lewis
Mr. & Mrs. Ronald Bristow

(Additional names deleted to save space)

4. That the name of the proposed district is Herculaneum Sewer District of Jefferson County, Missouri.

(signatures deleted to save space)

BOND FOR EXPENSES OF INCORPORATING SEWER DISTRICT

KNOW ALL MEN BY THESE PRESENTS That we, Donald G. Stotler, as Principal, and James Donnelly, Sr., as Surety, are held and firmly bound to the State of Missouri in the sum of Five Hundred Dollars (\$500.00) to the payment of which we bind ourselves, our heirs and legal representatives and assigns firmly by these presents.

The conditions of this bond is that the cost and expenses of the proceedings to incorporate as a proposed sewer district to be known as Herculaneum Sewer District of Jefferson County, Missouri, shall be paid.

Now, if said costs and expenses shall be paid this bond shall be void but otherwise it shall remain in full force and effect.

Witness our hands the 29th day of July, 1971.

PRINCIPAL:

(signature)
Donald G. Stotler

SURETY:

(signature)
James Donnelly, Sr.

AFFIDAVIT

Comes now Shirley L. Mosberger, after being duly sworn upon her oath and states that in determining the assessed valuation of property in the Herculaneum Sewer District of Jefferson County, Missouri, I first obtained from the Assessor's Office of Jefferson County the total of the assessed valuation within the said Sewer District, which sum was shown upon the Assessor's books as being \$1,274,320. The signed petitions filed were signed by owners of property totaling \$760,100, which sum is \$162,940 more than one-half of the total assessed valuation, all of which was determined prior to the filing of the petitions with the Circuit Court of Jefferson County, Missouri and prior to the date of the first advertisement of Notice of Hearing.

(signature)

Shirley L. Mosberger

Subscribed and sworn to before me this 14th day of October, 1971

(signature)

Notary Public

My Commission Expires: October 31, 1974

NOTICE OF APPLICATION TO FORM SEWER DISTRICT

Notice is hereby given to all persons interested in the following described real property in Jefferson County of Missouri:

A tract of land lying in U.S. Survey 2977 and U.S. Survey 3028 and Sections 19, 20 and 29, Township 41 North, Range 6 East, of the Fifth Principal Meridian, Jefferson County, Missouri, more particularly described as follows:

Beginning at the point of intersection of the centerline on U.S. Highway 61-67 centerline of Joachim Creek; thence, Northwardly.....

(Complete boundary description not given to save space)

That a petition asking that the foregoing real property be formed into a sewer district under the provisions of sections 249.760 to 249.810 RSMo, and that the real property as above described will be affected by the formation of the sewer district and be rendered liable to taxation for the purposes of paying the expenses of organizing and making and maintaining the improvements that may be found necessary for the construction and maintenance of sewage treatment facilities and the sewer system in the district, and you, and each of you, are hereby notified to appear at the next term of this court to be held on the 13th day of September, 1971, at Hillsboro in Jefferson County, and show cause, if any there be, why the sewer district as set forth in the petition shall not be organized as a public corporation of the State of Missouri.

(signature) _____

Charles B. Long
Clerk of the Circuit Court of
Jefferson County, Missouri

AFFIDAVIT

Comes now Charles B. Long, duly authorized and acting Clerk of the Circuit Court of Jefferson County, Missouri, after being duly sworn upon his oath, and states that he gave notice by mailing a copy of the attached Notice to the known owners of record of real property within the proposed district, Herculaneum Sewer District of Jefferson County, Missouri, and that said Notices were deposited in the United States Mail addressed to all individuals named in the petition filed for incorporation of said sewer district and delivered to their last known address, postage prepaid, on the 3rd day of August, 1971.

(signature) _____
Charles B. Long
Clerk of the Circuit Court

Subscribed and sworn before me this 3rd day of August, 1971

(signature) _____
Notary Public

My Commission Expires: January 10, 1975

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, MISSOURI

NO. 42,293

IN THE MATTER OF THE PETITION)	CAUSE NO. _____
FOR THE INCORPORATION OF A SEWER)	
DISTRICT TO BE KNOWN AS HERCULEAN)	DIVISION NO. _____
SEWER DISTRICT OF JEFFERSON COUNTY,)	
MISSOURI.)	

DECREE OF INCORPORATION

After due notice, a hearing was had on the 13th day of September, 1971, on the application in this cause for the incorporation of a public sewer district to be known as Herculaneum Sewer District of Jefferson County, Missouri. The applicants appeared by Thurman, Nixon, Smith & Howald and John W. Howald, Attorneys at Law. There were no written objections to the incorporation of said district filed or presented to the Court.

Being fully advised in the premises, and there being no written objections to the incorporation, the Court hereby declares and decrees that the Herculaneum Sewer District of Jefferson County, Missouri is a public corporation of the State of Missouri.

(signature) _____
Judge

STATE OF MISSOURI,

SS

COUNTY OF JEFFERSON

I, Charles B. Long, Clerk of the Circuit Court, in and for said County, hereby certify the attached and foregoing to be a true copy of the proceedings of our said Circuit Court, on the day and year above written, as the same appears of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of said Court, at office in Hillsboro, Missouri, this 14th day of September, 1971.

(signature)
Clerk, Circuit Court

By (signature)
Deputy Clerk

AFFIDAVIT

Comes now Charles B. Long, Clerk of the Circuit Court of Jefferson County, Missouri, within sixty (60) days after the District has been declared a public corporation by the Court and states that he did transmit to the Secretary of State a certified copy of the Findings & Decree of the Court incorporating the District, and the same was filed in the Office of the Secretary of State in the same manner as Articles of Incorporation are now required to be filed under the general law concerning corporations.

Further, a copy of the Findings and Decree, together with a plat of the District was also filed in the office of the County Recorder, where the same shall become a permanent record and the Recorder's Office was paid a fee of One Dollar (\$1.00) for filing and preserving same, all as required by Section 249.767 Revised Statutes of Missouri.

(signature)

Charles B. Long

Subscribed and sworn to before me this 22nd day of September, 1971.

(signature)

Notary Republic

My Commission Expires: January 10, 1975

NOTICE OF MEETING OF THE
HERCULANEUM SEWER DISTRICT OF JEFFERSON COUNTY, MISSOURI

Notice is hereby given to all persons owning property within the Herculaneum Sewer District of Jefferson County, Missouri that pursuant to Sections 249.760 to 249.810 RSMo 1969, there will be a meeting of the owners of real estate or other property situate in the district on Thursday, October 7, 1971, at 7:30 p.m. Central Standard Time, Cafeteria of Roy E. Taylor School, Herculaneum, Missouri, a public place in the County of Jefferson, in which the district was organized for the purpose of electing five (5) supervisors, to be composed of owners of real estate in the district or their representatives, at least two (2) of whom shall be residents of the county in which the district is situate, or some adjoining county; the landowners, when assembled, shall organize by the election of a chairman and secretary of the meeting who shall conduct the election; at the election each one thousand dollar assessed valuation of real property in the district shall represent one share and each owner shall be entitled to one vote, in person or by proxy for one thousand dollar assessed valuation of property owned by him in the district, and the five (5) persons receiving the highest number of votes shall be declared elected as supervisors, and the supervisors shall immediately by lot determine the terms of their office, which shall be respectively one (1), two (2), three (3), four (4) and five (5), and they shall serve until their successors are elected and qualified.

(signature) _____

Clerk of the Circuit Court
Jefferson County, Missouri

AFFIDAVIT

Comes now Charles B. Long, duly authorized and acting Clerk of the Circuit Court of Jefferson County, Missouri, after being duly sworn upon his oath and states that he gave notice by mailing a copy of the attached Notice of Meeting of the Herculaneum Sewer District of Jefferson County, Missouri, to the known owners of record within the proposed District, Herculaneum Sewer District of Jefferson County, Missouri, and that said notices were deposited in the United States Mail addressed to all individuals named in the petition filed for incorporation of said sewer district and directed to their last known address, postage prepaid, on the 15th day of September, 1971.

(signature) _____
Charles B. Long
Clerk of the Circuit Court

Subscriber and sworn to before me this 27th day of September, 1971.

(signature) _____
Shirley L. Mosberger
Notary Public

My Commission Expires: January 10, 1975

AFFIDAVIT

Comes now Charles B. Long, being duly sworn upon his oath and states that within thirty (30) days after the incorporation of the Herculaneum Sewer District, under the provisions of Chapter 249.760 to 249.810, I, Clerk of the Circuit Court of Jefferson County, Missouri, the County in which the petition for incorporation was filed, and decree of incorporation issued, gave notice by causing publication to be made once a week for two consecutive weeks in the Jefferson County Record, a newspaper published in Jefferson County in which all lands of the Sewer District was situated, the last insertion being September 23, 1971, which was at least ten (10) days before the date of said meeting, the data of said meeting being October 7, 1971, and by mailing a copy of said notice, a copy attached hereto and marked "Exhibit A", to the last known address of the owners of record of real property within the district calling a meeting of owners of real estate or other property situate within the district for October 7, 1971, at 7:30 p.m. Central Standard Time at the Cafeteria of Roy E. Taylor School, Herculaneum, Missouri, a public place in the County in which the district was organized for the purpose of electing a board of five (5) supervisors to be composed of owners of real estate in the district, or their representatives, at least two (2) of whom shall be residents of the County in which the district is situated, or some adjoining county. The land owners, when assembled, organized by the election of Donald Stotler as Chairman and Lester J. Boyer as Secretary of the meeting. The Chairman and Secretary then conducted the election; at the election each and every one thousand dollar assessed valuation of property in the district represented one share, and each owner was given one vote in person, or by proxy, for one thousand dollar assessed valuation of property owned by him in the district, the results of said election are as follows: Donald Stotler - 98 votes; Donald J. Kelley - 79 votes; Kenneth J. Marler - 71 votes; William H. Burlage - 14 votes; Lester J. Boyer - 91 votes; James Evans - 79 votes; James Donnelly - 6 votes; Hartford P. East - 7 votes and Carl Givens - 1 vote.

The five (5) persons receiving the highest number of votes were: Donald Stotler, Donald J. Kelley, Kenneth J. Marler, Lester J. Boyer and James Evans, and were declared elected as supervisors. The supervisors immediately after their election took oath of office and by lot determined the terms of their office, which are set out as follows:

Donald Stotler	Five (5) years;
James Evans	Four (4) years;
Lester J. Boyer	Three (3) years
Donald J. Kelley	Two (2) years
Kenneth J. Marler	One (1) year

and that they shall serve until their successors are elected and qualified.

The notice of meeting that was mailed out and published by the Clerk of the Circuit Court called for the meeting to be held at 7:30 p.m. Central Standard Time. The current time in effect in Herculaneum on that day was Daylight Saving Time. Therefor, Eula Kidd, Deputy circuit Clerk, in and for Jefferson County appeared at the place designated for the meeting at 7:30 p.m. Central Standard Time, which was 6:30 p.m. Daylight Saving Time, so as to be able to inform everyone that the meeting would convene one hour later at 7:30 p.m. Daylight Saving Time. No one appeared at that time; however, the said Deputy Circuit Clerk remained present until 7:30 p.m. Daylight Saving Time. Prior to voting a request was made to determine if anyone had been present at 6:30 p.m. Daylight Saving Time, and no one had been present at that time. The Deputy Circuit Clerk asked if anyone had any objection to, or had been adversely affected by the time as set forth in the written notice. There were no objections or complaints. Thereupon, the said Eula Kidd, Deputy Circuit Clerk read a copy of the attached notice that was sent to each property owner, and published in the paper, as required by law, and stated that the meeting was opened, and all business was conducted thereafter.

(signature) _____

Charles B. Long, Clerk of the Circuit
Court, Jefferson County, Missouri

(signature) _____

Eula Kidd, Deputy Circuit Clerk of the
Circuit Court, Jefferson County, Missouri

Subscribed and sworn to before me this 13th day of October, 1971.

(signature) _____

Notary Public

My Commission Expires: January 10, 1975

RESOLUTION OF MARION COUNTY PUBLIC WATER SUPPLY
DISTRICT NO. 1 OF MARION COUNTY, MISSOURI, TO
PETITION FOR AMENDED DECREE OF INCORPORATION

Be it resolved by the Board of Directors of Marion County Public Water Supply District No. 1 of Marion County, Missouri, as follows:

Section One: Pursuant to request of certain citizens in the area of Philadelphia, Missouri, the Board shall Petition and request the Circuit Court of Marion County, Missouri, for an Amended Decree of Incorporation allowing the district to engage in the construction, maintenance and operation of common sewer treatment facilities which serve ten (10) or more separate properties in the Philadelphia, Missouri, area.

Section Two: The area to be served would be in Section Twelve (12), Township Fifty-Eight (58) North, Range Eight (8) West, and certain areas within one (1) mile thereof.

Section Three: That this Board hereby goes on record as requesting the Circuit Court of Marion County, Missouri, to authorize it to operate sewer treatment facilities, pursuant to Section 247.035 RSMo.

Section Four: That Briscoe and Henderson, attorneys for the water district, are directed to proceed to Petition the Circuit Court of Marion County, Missouri, for authority as set out herein.

Section Five: This Resolution shall be in full force and effect from its passage and approval by the Board of Directors of Marion County Public Water Supply District No. 1 of Marion County, Missouri, and the approval thereof by the Circuit Court of Marion County, Missouri.

This Resolution approved this 11th day of December, 1984.

MARION COUNTY PUBLIC WATER SUPPLY
DISTRICT NO. 1 OF MARION COUNTY, MISSOURI

(signature)
MARION SPRATT, PRESIDENT
BOARD OF DIRECTORS

ATTEST:

(signature)
PAT DREBENSTEDT, CLERK

CERTIFICATE OF CLERK

I, the undersigned, the District Clerk of Marion County Public Water Supply District No. 1 of Marion County, Missouri, certify the above is a true and correct copy of the Resolution authorizing the Petition for Amended Decree of Incorporation authorizing Marion County Public Water Supply District No. 1 of Marion County, Missouri, to operate and maintain sewer treatment facilities, and as the same appears of record in my office and as it was passed and approved on the 11th day of December, 1984. This Resolution has not been altered, amended or appealed as of this 26th day of February, 1985.

(signature)
PAT DREBENSTEDT, CLERK

IN THE CIRCUIT COURT OF MARION COUNTY, MISSOURI
AT PALMYRA, MISSOURI

In re:)	Cause No. <u>CV-85-13-CC</u>
)	
MARION COUNTY PUBLIC WATER)	Division No. _____
SUPPLY DISTRICT #1)	

DECREE

Now on the 3rd day of April, 1985, comes Marion County Public Water Supply District #1 of Marion County, Missouri, by its attorney, John W. Briscoe, and the Court takes up the Notice and Petition for Amended Decree of Incorporation pursuant to Section 247.035 of the Revised Statutes of Missouri, and the Court makes the following findings of fact:

Marion County Public Water Supply District #1 of Marion County, Missouri, was initially incorporated in Cause No. 11172 of this Court by its Decree dated November 24, 1971; that the boundaries of said water district were expanded by Order Declaring Judgement Enlarging Water Supply District To Be Conclusive in Cause No. CV-84-49-CC, on the 20th day of February, 1985; that there is need for sewer treatment facilities in the unincorporated area of the district in the vicinity of Philadelphia, Missouri; that the Board of Directors of Marion County Public Water Supply District #1 of Marion County, Missouri, has petitioned this Court under Section 247.035 for authority to engage in the construction, maintenance and operation of common sewer treatment facilities which will serve more than ten (10) separate properties, and which facilities are located wholly within the district and are not operated by any other political subdivision and are not located within the certificated area of a sewer corporation as defined in Chapter 386 of the Revised Statutes of Missouri, and furthermore that said properties are not located within a common sewer district as defined by Chapter 204 of the Revised Statutes of Missouri; that the area in which the properties to be served is located is that area that can feasibly be served with sewer or wastewater treatment facilities in Section Twelve (12), Township Fifty-Eight (58) North, Range Eight (8) West, and at other points within one (1) mile of said Section; that it would be in the best interests of all people within the district for Marion County Public Water Supply District #1 of Marion County, Missouri, to engage in the construction, maintenance and operation of common sewer treatment facilities in the proposed area subject to the provisions of Section 247.035 of the Revised Statutes of Missouri.

Therefore, it is hereby ORDERED, ADJUDGED AND DECREED that the Board of Directors of Marion County Public Water Supply District #1 of Marion County, Missouri, shall henceforth be allowed to engage in the construction, maintenance and operation of common sewer treatment facilities serving ten (10) or more separate properties located within the district, said sewer treatment facilities to be provided at points within Section Twelve (12), Township Fifty-Eight (58) North, Range Eight (8) West, and other points within one (1) mile of said Section; all pursuant to Section 247.035 of the Revised Statutes of Missouri.

The costs of this proceeding are assessed against Marion County Public Water Supply District #1 of Marion County, Missouri.

(signature) _____
CIRCUIT JUDGE

PETITION FOR THE CREATION OF
A NEIGHBORHOOD IMPROVEMENT DISTRICT

To the County Commission of Boone County, Missouri:

The undersigned, being the owners of record of more than two-thirds (2/3) by area of all real property within the hereinafter described Neighborhood Improvement District, do hereby petition and request that the County create a neighborhood improvement district as described herein and incur indebtedness and issue general obligation bonds of the County to pay for all or part of the cost of public improvements within such district, the cost of all indebtedness so incurred to be assessed against the real property within said district benefited by such improvements, under the authority of Sections 67.453 to 67.475, inclusive, RSMo. (the "Neighborhood Improvement District Act").

A. The project name for the proposed improvements is:

UNIVERSITY ESTATES NEIGHBORHOOD IMPROVEMENT DISTRICT

- B. The general nature of the improvements proposed to be made is as follows: repairing and paving of Hillside Drive, Hilltop Drive and Campus Drive in order to bring them up to acceptable standards for paved county roads for county maintenance.
- C. The estimated cost of the proposed improvements is \$ 179,500.00. The final cost of such improvements assessed against the property within the district (and the amount of general obligation bonds of the County issued therefor) shall not exceed such estimated cost by more than 25%.
- D. The special assessments will be assessed in substantially equal annual installments over a period of not more than ten (10) years.
- E. A description and map of the proposed neighborhood improvement district are attached hereto as Exhibit A. The district is located entirely within Boone County, Missouri, and is not located in whole or in part within the limits of an incorporated city.
- F. The proposed method of assessment is as follows: The final improvement costs shall be assessed equally on a per lot/tract assessment and shall be payable in not more than ten (10) substantially equal annual installments in accordance with the laws of the State of Missouri and consistent with the administrative policies of the County of Boone.

- G. THE NAMES OF THE SIGNERS OF THIS PETITION MAY NOT BE WITHDRAWN FROM THIS PETITION LATER THAN SEVEN (7) DAYS AFTER THE FILING HEREOF WITH THE COUNTY CLERK.

PRINTED NAME AND ADDRESS OF OWNER(S) OF RECORD	SIGNATURE OF OWNER(S) OF RECORD*	PROPERTY OWNED WITHIN PROPOSED NEIGHBORHOOD IMPROVEMENT DISTRICT
STEVEN T. TARRANCE	_____	1.953 ACRES DESCRIBED BY A SURVEY RECORDED IN BOOK 400, PAGE 130 OF THE RECORDS OF BOONE COUNTY, MISSOURI AND BEING A PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 9, TOWNSHIP 47 N, RANGE 13 W, IN BOONE COUNTY, MISSOURI.
PATRICIA S. TARRANCE 3612 W CAMPUS DRIVE COLUMBIA MO 65203	_____	Tax Parcel 20-217-09-00-004.00
* * * * *	* * * * *	* * * * *
KENNETH LOUIS SELLE 3600 W HILLTOP DRIVE COLUMBIA MO 65203	_____	LOT 31 OF UNIVERSITY ESTATES, PLAT NO. 2 A SUBDIVISION AS SHOWN BY A PLAT RECORDED IN PLAT BOOK 10, PAGE 189 OF THE RECORDS OF BOONE COUNTY, MISSOURI.
		Tax Parcel 20-217-09-01-001.00

*Persons signing on behalf of a corporation or other legal entity or as a representative of the owner must attach documentation of the signer's authority.

(Additional names deleted to save space)

EXHIBIT A
Boundary Description and Map of
Neighborhood Improvement District for
UNIVERSITY ESTATES NEIGHBORHOOD IMPROVEMENT DISTRICT

Lots 1,2,3,4,5,6,7,8,14,15,16,17,18,19,20 and 21 and all of Tract A, all of University Estates Plat No. 1, a Subdivision in the South Half of Section 9, Township 47 North, Range 13 West as shown by a Plat recorded in Plat Book 10, Page 110, of the records of Boone County, Missouri, and

Lots 22,23,24,25,26,27,28,29,30,31,32,33,34,35,36 and 37, all of University Estates Plat No. 2, a Subdivision in the South Half of Section 9, Township 47 North, Range 13 West as shown by a Plat recorded in Plat Book 10, Page 189, of the records of Boone County, Missouri, and

Lot 1 of University Estates Number Three (3) a Subdivision in the South Half of Section 9, Township 47 North, Range 13 West, as shown on plat of said subdivision recorded in Plat Book 28, Page 39, together with a sewer line easement as described by Book 1097, Page 198, Boone County Records, and

1.953 acres as described by a survey recorded in Book 400, Page 130, of the Boone County Missouri records and being a part of the Southeast Quarter of the Southwest Quarter of Section 9, Township 47 North, Range 13 West, in Boone County, Missouri.

MAP

(Actual map not available for inclusion)

AFFIDAVIT OF CIRCULATOR

I, _____, a property owner of record of the proposed neighborhood improvement district herein, being first duly sworn, hereby say that the above and foregoing signed this petition and each of them signed his/her name thereto personally in my presence; I believe that each has accurately stated his/her name and property location, and that each signer is a property owner of record of the proposed neighborhood improvement district herein described.

Signature of Affiant: _____

Printed Name & Address of Affiant:

Subscribed to and sworn to me this _____ day of _____, 1996.

(Notary Seal)

Signed: _____

My Commission expires: _____

Notary Certificate:

COUNTY CLERK'S RECEIPT OF PETITION:

This Petition was filed in my office on _____, 1996.

(SEAL)

County Clerk

Special Instructions to Boone County Neighborhood Improvement District Petitioners:

Pages 3 thru 8 (inclusive) of the petition form look just like page 2 except that they list the rest of the owners.

Having the petitions signature ready is not required. For us it simply cuts out the step of trying to figure out who signed the petitions when we can not read the signatures. We do the title research ahead of time so we know who may sign.

Remember, the boundaries of the district (page 1, item E. of the petition) describes what properties are to be assessed for the cost of the improvement, not the location of the improvement. The actual improvement need not be within those boundaries at all. In addition, the district need not be contiguous. Those who pay for the improvement must benefit from it.

CERTIFICATE OF AREA OWNED BY PETITIONERS

I, County Clerk of Boone County, Missouri, hereby certify as follows:

- 1) I have examined the Petition requesting the creation of a neighborhood improvement district for the proposed University Estates Neighborhood Improvement District filed in my office on _____, 1996.
- 2) At least seven days have passed since said Petition was filed and none of the signers have withdrawn their names from the Petition.
- 3) The total area of all real property within the proposed neighborhood improvement district is _____ acres, more or less.
- 4) The total area owned by the signers of the Petition is _____.

DATED: _____, 1996.

(SEAL)

County Clerk
Boone County, Missouri

WENDY S. NOREN
BOONE COUNTY CLERK
801 East Walnut, Room 236, Columbia, Missouri 65201

NOTICE OF HEARING AND STATEMENT OF COST PROPOSED TO BE ASSESSED

November 7, 1995
Boone County, Missouri
Bearfield Neighborhood Improvement District

<u>Description of Property</u>	<u>Cost to be Assessed</u>
Lot 16 of Bearfield, as shown in Plat Book 7 , Page 6 records of Boone County, Missouri.	\$39,928.57 (see assessment roll attached)

Assessor Number: 21-101-06-01-001.00
Name: Kevin Allemann
2131 E. Bearfield Rd., Columbia, MO 65201

As owner of record of the property described above in the neighborhood improvement district established in Boone County, Missouri, for the above-named Project, you are hereby notified that the portion of the cost of the Project shown above is proposed to be assessed against your property.

The amount finally assessed on such property will be determined from the actual final project cost, and cannot exceed the proposed assessment shown above by more than 25% without additional authorization by petition or election.

You are hereby further notified that the County Commission of the County will meet on Monday, November 27, 1995 at 5:30 p.m. at the Boone County Historical Society, 3801 Ponderosa Dr., Columbia, Missouri, for the purpose of considering the proposed improvements and assessments.

The proposed Assessment Roll for the above said improvements and the plans and specifications and estimated costs thereof are on file in my office for public inspection.

WRITTEN OR ORAL OBJECTIONS TO THE PROPOSED ASSESSMENTS WILL BE
CONSIDERED AT SAID HEARING.

(SEAL)

Wendy S. Noren
County Clerk
Boone County, Missouri

Filed for record on _____ 19 ____ at _____ o'clock ____ M. in Boone County, MO
 Document No. _____ recorded in Book _____ page _____ Bettie Johnson, Recorder of Deeds

**ORDER FOR NOTICE OF FORMATION OF BEARFIELD
 NEIGHBORHOOD IMPROVEMENT DISTRICT AND ASSESSMENT OF PROPERTIES
 WITHIN DISTRICT FOR COST OF IMPROVEMENTS**

WHEREAS, pursuant to the authority , 67.453 - 67.475 RSMo, titled "The Neighborhood Improvement District Act" (the "Act"), The County Commission of Boone County, Missouri ordered the creation of the Bearfield Neighborhood Improvement District by Commission Order No. 515-95 on October 5, 1995, a true copy of said order being maintained in the office of the Boone County Clerk, and

WHEREAS, the Bearfield Neighborhood Improvement District is currently comprised of the real properties shown and described in the attached list of properties for said District, and

WHEREAS, the properties within said district which are benefited by the improvements within the district are subject to assessment for the cost of the improvement in accordance with the Act, and

WHEREAS, the County Commission deems it advisable to give public notice in the public land records of Boone County of the formation of the District and potential tax liens which may be asserted against properties within the district benefited by the improvements in the event the improvements are constructed in accordance with and under authority of the Act.

NOW THEREFORE, the County Clerk of Boone County is hereby ordered to record a copy of this Order for Notice within the land records of Boone County, Missouri to notify any and all persons with an interest in the subject properties shown and described within the attached listing have been declared a part of the Bearfield Neighborhood Improvement District, that said properties benefited by the improvements are subject to assessment in accordance with the Act and that the properties subject to said assessments will be determined by the order of the County Commission subsequent to this notice establishing the final assessment role for the cost of the improvements in accordance with the Act.

All interested persons are further notified that complete records of the proceedings with respect to the Bearfield Neighborhood Improvement District are maintained as public records in the files of the office of the County Clerk of Boone County, Missouri and may be inspected and copied during business hours in accordance with the law and the policies of the county.

This Order for Notice is passed and effective on the _____ day of _____, 1996.

ATTEST:

BOONE COUNTY, MISSOURI
 by: Boone County Commission

(signature) _____
 Wendy Noren, County Clerk

(signature) _____
 Don Stamper, Presiding Commissioner

(signature) _____
 Karen M. Miller, District I Commissioner

(signature) _____
 Linda Vogt, District 2 Commissioner

State of Missouri)
) SS
County of Boone)

On this _____ day of _____, 1996 before me personally appeared Don Stamper, Linda Vogt and Karen Miller, who after being duly sworn upon their oath did state, affirm and acknowledge that they are the duly elected County Commissioners of the County of Boone, a political Subdivision of the State of Missouri, that they have executed the within instrument on behalf of said County as their free act and deed pursuant to the authority vested in them to execute said instrument on behalf of said county as authorized by law and that they executed the same for the purposes therein stated.

In testimony whereof, I hereunto set my hand and affix my seal at my office in Columbia, Missouri the day and year first above written.

My Commission Expires: _____ (signature) _____
 Typed Name, Notary Public

(Attachment to Order for Notice of Formation)

<u>OWNER 1</u>	<u>OWNER 2</u>	<u>DESCRIPTION</u>	<u>TAX PARCEL NUMBER</u>
Kevin Allemann 2131 E Bearfield Rd. Columbia, MO 65201		Lot 16 of Bearfield Subdivision as shown by the plat recorded in Plat Book 7, Page 6, Records of Boone County, MO	21-101-06-01- 001.00
Randal C. Clark 29 Bearfield Road Columbia, MO 65201		Lot 15 of Bearfield Subdivision by the plat recorded in Plat Book 7, Page 6, Records of Boone County, MO	21-101-06-01- 002.00
James Randall Patterson 2163 E. Bearfield Road Columbia, MO 65201	Tonia A. Patterson	Lot 14 of Bearfield Subdivision by the plat recorded in Plat Book 7, Page 6, Records of Boone County, MO	21-101-06-01- 003.00

(Additional names deleted to save space)

STATE OF MISSOURI) Document No. 12051
COUNTY OF BOONE) SS.

I, the undersigned Recorder of Deeds for said county and state do hereby certify that the foregoing instrument of writing was filed for record in my office on the ____ day of _____, 1996 at 11 o'clock and 32:07 minutes AM is truly recorded in Book ____ Page ____.

Witness my hand and official seal on the day and year aforesaid.

BETTIE JOHNSON, RECORDER OF DEEDS

by (signature) _____ deputy
Carol Wright

Special Note to Boone County Neighborhood Improvement District Petitioners Concerning the Order for Notice of Formation of a Neighborhood Improvement District:

Boone County's NIDs start with an application from any interested land owner. From that application, a petition is drawn. Once we have sufficient signatures on the petition, our county commission forms the district. The next step is to mail out a "Notice of Proposed Assessment and Public Hearing," which goes to each property owner. After the public hearing, the commission orders county staff to proceed with the project. The project is let for bids, awarded to the lowest responsive responsible bidder and constructed. Once the project is complete, the commission orders assessments be made against the subject properties.

This process could easily take two or three years. The NID statutes have no mechanism to put any reference to the impending NID on the public record. Therefore, we record the Order for Notice of Formation as soon as the NID is formed by the Commission. Once this document is recorded, the title and abstract companies will catch it for any property sale in that district.

Boone County, Missouri
Neighborhood Improvement District (NID) Policy Summary

1. Public Works provides Application For Petition To Form Neighborhood Improvement District to interested property owners.
2. Property owners return application to Public Works.
3. Public works provides a copy of the application to the county commission.
4. Public works prepares a legal description of the boundaries of the proposed NID, determines right-of-way and easement requirements and general description of proposed project, determines the method of assessment and estimates project cost including construction costs, fees authorized by statute and indirect costs as determined annually by the county auditor.
5. Public works prepares signature-ready petition, which shall include information developed in step 4.
6. Public works delivers petition to property owners at a neighborhood meeting. Petition circulator(s) are recruited at meeting.
7. Property owners return completed petition(s) to public works for verification and certification of signatures by county clerk. If petitions are not returned to public works by petitioners within one year of delivery, project may be terminated or suspended. Project will not be approved if any petitioner is delinquent in county property taxes.
8. County clerk schedules county commission meeting to determine advisability of forming the Neighborhood Improvement District. (Petition circulator(s) will be notified.)
9. County commission *may* issue order establishing NID.
10. Public works develops final plans and specifications.
11. Notice Of Hearing And Statement Of Cost Proposed To Be Assessed is mailed to the owner(s) of each individual parcel/tract and published in newspaper by county clerk.
12. County commission holds public hearing and *may* issue "Order To Proceed." This hearing is the last opportunity for public comments.
13. Public works acquires easements or rights-of-way required for project.

14. Requests for bids are advertised, construction contract is awarded to lowest and best bidder, and construction begins.
15. Public works oversees construction on site.
16. Once construction ends, final costs are tabulated and verified by county auditor.
17. Final project cost is assessed by county clerk among tracts as called for in petition. Bills are sent to property owners. Owners then have 30 days to pay their respective NID bills. If bills are not paid within 30 days, they become a lien on property and are setup for ten year financing. County sells ten year bonds to finance remaining balance. Cost of bond sale is added to project cost. The next NID tax bill will reflect additional cost of bond sale.
18. Once the county sells ten year bonds, the county is obligated to pay interest on those bonds for ten years; therefore, property owners who do not pay their NID bills in 30 days are obligated for ten years worth of interest. Property owners may pay off in less than ten years to have lien released; however, any such payoff will include ten years worth of interest.

For More Information

Missouri Department of Natural Resources

Environmental Assistance Office

P.O. Box 176, Jefferson City, MO 65102-0176

1-800-361-4827 or (573) 526-6627 office

(573) 526-5808 fax

(www.dnr.mo.gov/oac/env_assistance.htm) Program Home Page